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Stores, L.P. (erroneously sued as Best Buy Co., Inc.)

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Counterclaim Plaintiff FYE (a.k.a.
Trans World Entertainment)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH CENTRAL DIVISION**

JAMES L. DRIESSEN, and MARGUERITE
A. DRIESSEN,

Plaintiffs and Counterclaim Defendants,

vs.

SONY BMG MUSIC ENTERTAINMENT;
TARGET CORPORATION; BEST BUY CO.,
INC.; FYE (a.k.a. TRANS WORLD
ENTERTAINMENT),

Defendants and Counterclaim Plaintiffs.

Case No. 2:09-cv-00140-DK

**STIPULATION MOTION TO
EXTEND CERTAIN DEADLINES**

Judge Dale A. Kimball

The parties, by and through their undersigned counsel, do hereby stipulate and agree, to extend the deadline to respond to any discovery requests served by any party until 15 days after the Court issues an order regarding Defendants' Joint Motion for Summary Judgment. (Dkt. Nos. 56, 57.)

It is further stipulated and agreed to by the parties, subject to the approval of the Court, that the following deadlines in the Scheduling Order (Dkt. No. 45) shall also be extended by a concomitant amount of time:

- Amendment of Pleadings/Adding Parties
- Last Day to File Motion to Add Parties
- Rule 26(a)(2) Reports from Experts
- Close of Fact Discovery
- Close of Expert Discovery

Within five days of issuance of an order regarding Defendants' Joint Motion for Summary Judgment, the parties will submit a Joint Amended Scheduling Order, which will include specific dates for these deadlines, for the Court's approval.

Good cause exists to extend these deadlines. The issues in Defendants' Summary Judgment Motion are potentially case dispositive, and a Summary Judgment order will clarify and potentially limit the issues involved in this case. Extending these deadlines will therefore increase the economy of this case by enabling all parties to focus their discovery efforts on the material issues involved in this case. Finally, since trial is not until August 15, 2011, there is plenty of time in the current schedule to accommodate this extension without affecting the trial date. As such, all parties agree there is good cause to extend these deadlines and ask the Court to grant its approval.

Respectfully submitted,

Dated: May 27, 2010

By /s/ James C. Pistorino

James C. Pistorino

HOWREY LLP

Attorneys for Defendants/Counterclaimants

**SONY MUSIC ENTERTAINMENT; TARGET
CORPORATION; and BEST BUY STORES, L.P.**

Dated: May 27, 2010

By /s/ Brent O. Hatch

Brent O. Hatch

HATCH, JAMES, & DODGE, P.C.

Attorneys for Defendant/Counterclaimant

FYE (a.k.a. TRANS WORLD ENTERTAINMENT)

Dated: May 27, 2010

By /s/ James L. Driessen

James L. Driessen

Pro Se for Plaintiffs

JAMES AND MARGUERITE DRIESSEN

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of May, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and further hereby certify that I have served via e-mail a copy of this document to the following non-CM/ECF participant:

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/s/ James C. Pistorino

James C. Pistorino